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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

JOEL LINGAT and JOSEPH EUGENE LEMAY,

Defendants.

1:21-cr-573-MKV

ORDER

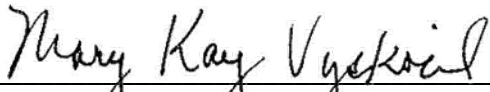
MARY KAY VYSKOCIL, United States District Judge:

On November 3, 2021, the Court held a hearing during which Defendants Joel Lingat and Joseph Lemay were arraigned on the Superseding Indictment in this case, and each entered pleas of not guilty on the Counts alleged against him. [ECF No. 26]. On August 4, 2022, Defendant Joseph Lemay moved this Court for an Order dismissing Count I of the Superseding Indictment, pursuant to Rule 12(b)(1) of the Federal Rules of Criminal Procedure, on the grounds that the statute of limitations had expired prior to the Indictment. [ECF Nos. 67-68] (the “Motion to Dismiss”). That same day, Defendant Joel Lingat filed a motion to sever the criminal claims against him from those asserted against his co-defendant, Joseph Lemay. [ECF No. 69] (the “Motion to Sever”).

On August 25, 2022, the Government filed a Second Superseding Indictment. [ECF No. 71]. The Court is scheduled to arraign Defendants Joel Lingat and Joseph Lemay on the Second Superseding Indictment on October 19, 2022. By no later than October 18, 2022, the parties shall file a joint status letter informing the Court what affect, if any, the Second Superseding Indictment has on the Motion to Dismiss and the Motion to Sever.

SO ORDERED.

Date: October 11, 2022
New York, NY



MARY KAY VYSKOCIL
United States District Judge